Upcoming HIPAA Regulations and Modifications to Standards

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CMS

Need to Modify Standards

- Standards adopted in final rules, August 2000

- For many covered entities, first time they analyzed them was after they adopted

- "Technical Corrections" also needed to be made

Initial Problems with Adopted Standards

- NCPDP transactions

- NCPDP batch version

- Use of NDC code for drugs in all transactions

- Proposed rule to remedy this
  - CMS-0003-P

DSMO Changes

- Result of first round of submissions to DSMOs

- Looked for changes that were necessary for compliance

- X12 developed "addenda" to implementation guides

- Published on WPC web site
  - http://www.wpc-edi.com/hipaa

Addenda

- Not drastic changes
- Improvements to standards
  - making certain items situational rather than required
  - allowing some things to be in external code sets
- Proposed Rule CMS-0005-P

What Should You Do

- Download and review Addenda
- Review and comment on NPRMs
- Follow changes
- Suggest Future Changes to DSMOs
  - http://www.hipaa-dsmo.org

Future Regulations for HIPAA

- Identifiers
  - Employer
  - Provider
  - Plan
- Security
- Attachments
- Enforcement

Future Regulations

- Identifiers
  - Employer Identifier
    - Proposed TIN
    - Final to be published soon
  - Provider Identifier
    - Proposed 8 position alphanumeric id
    - Commenters wanted 10 position numeric

Future Regulations

- Support for no intelligence in number
- Final being prepared
- Longer implementation time frame
  - Plan ID
    - Working on proposed rule
    - Trying to determine best ways to identify plans
    - Looking for best use of system (routing issues).

Future Regulations

- Security

  – Proposed rule published in 1998

  – Proposed framework that was scalable and technology neutral

  – Final in clearance process

  – Expect publication in summer

  – Two year implementation

Future Regulations

- Claims Attachments
  - New transaction – joint development
  - Opportunity to automate a complicated paper process
  - Standards for both requesting and responding
  - NPRM in clearance

Future Regulations

– Enforcement

- Under development

What You Should Do

- Watch web sites and list servs for announcements of NPRMs and final rules

- Comment on proposed rules

- Remember two year implementation period for new standards

- No more than annual changes for standards